

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR H. GONZALEZ FLORES,

Defendant.

CASE NO. CR14-5093BHS

ORDER

This matter comes before the Court on the Defendant's unopposed motion for an order continuing all dates and deadlines for 90 days from the dates scheduled on the original case scheduling order. The Court, having considered the motion, the affidavit of defense counsel in support of the motion and Defendant's speedy trial waiver makes the following findings of fact and conclusions of law:

1. Defense counsel was substituted into this case on March 17, 2014.
2. Defense counsel has received some discovery materials from the US attorney but needs additional time to request additional discovery, to review discovery and to investigate the case, including but not limited to conducting interviews.
3. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for

1 pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act  
2 and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3 4. Taking into account the exercise of due diligence, a continuance is necessary to allow  
4 the defendant the reasonable time for effective preparation his defense, to explore resolution of  
5 this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. §  
6 3161(h)(7)(B)(iv).

7 5. Proceeding to trial absent adequate time for the defense to prepare would result in a  
8 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

9 6. The ends of justice served by granting this continuance outweigh the best interests of  
10 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

11 7. Defendant waived speedy trial through July 31, 2014.

12 NOW, THEREFORE, IT IS HEREBY ORDERED

13 That the trial date is continued from April 29, 2014, to July 22, 2014, at 9:00 a.m.  
14 Pretrial Conference is set for July 8, 2014, at 9:30 a.m. Pretrial motions are due by May 27,  
15 2014. The resulting period of delay from April 9, 2014, to July 22, 2014, is hereby excluded for  
16 speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

17 Dated this 17<sup>th</sup> day of April, 2014.

18 

19 BENJAMIN H. SETTLE  
20 United States District Judge  
21  
22